

**AFFIDAVIT OF SERVICE**

Dolores Stock, being duly sworn, deposes and says: that deponent is not a party to the action, is over 18 years of age and resides at Roscoe, New York.

That on the 18th day of August, 2008, deponent served a copy of the within

**PLAINTIFF'S MEMORANDUM OF LAW  
IN OPPOSITION TO MOTION BY DEFENDANTS  
THE YANKEE SYSTEMS, INC. AND JOSEPH FISCHBEIN  
TO DISMISS AMENDED COMPLAINT FOR FAILURE  
TO STATE A CAUSE OF ACTION**

by mailing the same in a sealed envelope, with postage prepaid thereon, in an official depository of United Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:

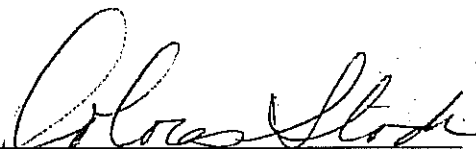
Craig H. Handler, Esq.  
Kushnick & Associates, P.C.  
Attys. for Partridge & Partridge Realty, Chris Partridge and Hewes Station LLC  
445 Broad Hollow Road, Suite 124  
Melville, NY 11747

Paul A. Winick, Esq.  
Lynn & Cahill, LLP  
Attys. for Fischbein and The Yankee Systems  
500 Fifth Avenue  
New York, NY 10110

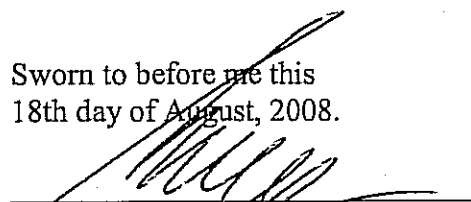
Philip J. Campisi, Jr., Esq.  
Westerman, Ball, Ederer, Miller & Sharfstein, LLP  
170 Old Country Road, Suite 400  
Mineola, NY 11501

Acme Realty Inc.  
3297 23<sup>rd</sup> Street  
Astoria, NY 11106

Antonio Hector Augusti  
200 Whitehorn Drive  
Miami Springs, FL 33166

  
Dolores Stock

Sworn to before me this  
18th day of August, 2008.

  
Notary Public

GERALD ORSECK  
Notary Public, State Of New York  
Sullivan County Clerk's #762  
Commission Expires November 30, 2010